

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Vehicle Code is amended by adding Section 11-1432 as follows:

(625 ILCS 5/11-1432 new)

Sec. 11-1432. Prohibit smoking in a motor vehicle with a minor present.

(a) For purposes of this Section:

"Smoke" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic, or other combustible substance.

"Vehicle" has the same meaning as defined in Section 1-217 of this Code and does not include motorcycles as defined in Section 1-147.

(b) A person shall not smoke in a motor vehicle, whether it is in motion or at rest, if a person under 18 years of age is in the vehicle, regardless of whether the vehicle's windows are open. This subsection does not apply to a person who is the sole occupant of a vehicle.

(c) A police officer may not stop or detain a motor vehicle or its driver nor inspect or search the vehicle, the contents of the vehicle, or the operator or passenger of the vehicle

Public Act 101-0468

HB2276 Enrolled

LRB101 08230 TAE 53296 b

solely for a violation or suspected violation of this Section.

(d) A violation of this Section is a petty offense punishable by a fine not to exceed \$100 and, for a second or subsequent offense, a fine not to exceed \$250.